

FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING  
2017 MAR 15 PM 1:12  
STEPHAN HARRIS, CLERK  
CASPER

Page 2

PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF  
HABEAS CORPUS BY A PERSON IN STATE CUSTODY

17-CV-45-5

United States District Court	District of Wyoming
Name (under which you were convicted): <u>RICHARD McCLOSKEY</u>	Docket or Case No.: <u>5697, 5698</u>
Place of Confinement: <u>PARK COUNTY DETENTION CENTER</u>	Prisoner No.: <u>81936</u>
Petitioner (include the name under which you were convicted) <u>RICHARD JOSEPH McCLOSKEY</u>	Respondent (authorized person having custody of petitioner) The Attorney General of the State of WY
v.	

## PETITION

1. (a) Name and location of court that entered the judgment of conviction you are challenging:

DISTRICT COURT OF PARK COUNTY WYOMING

- (b) Criminal docket or case number (if you know): \_\_\_\_\_

2. (a) Date of the judgment of conviction (if you know): 2/4/04

- (b) Date of sentencing: \_\_\_\_\_

3. Length of sentence: 5-7 YEARS

4. In this case, were you convicted on more than one count or of more than one crime?  Yes  No

5. Identify all crimes of which you were convicted and sentenced in this case: BURGLARY, BURGLARY,  
FORGERY,

6. (a) What was your plea? (Check one)

(1) Not guilty   
(2) Guilty

(3) Nolo contendere (no contest)   
(4) Insanity plea

- (b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to? \_\_\_\_\_

- (c) If you went to trial, what kind of trial did you have? (Check one)

Jury  Judge only

7. Did you testify at a pretrial hearing, trial, or a post-trial hearing?

Yes  No

8. Did you appeal from the judgment of conviction?  Yes  No
9. If you did appeal, answer the following:
- (a) Name of court: \_\_\_\_\_
- (b) Docket or case number (if you know): \_\_\_\_\_
- (c) Result: \_\_\_\_\_
- (d) Date of result (if you know): \_\_\_\_\_
- (e) Citation to the case (if you know): \_\_\_\_\_
- (f) Grounds raised: \_\_\_\_\_
- (g) Did you file a petition for certiorari in the United States Supreme Court?  Yes  No  
If yes, answer the following:  
(1) Docket or case number (if you know): \_\_\_\_\_  
(2) Result: \_\_\_\_\_  
(3) Date of result (if you know): \_\_\_\_\_  
(4) Citation to the case (if you know): \_\_\_\_\_
10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court?  Yes  No
11. If your answer to Question 10 was "Yes," give the following information:
- (a) (1) Name of court: \_\_\_\_\_  
(2) Docket or case number (if you know): \_\_\_\_\_  
(3) Date of filing (if you know): \_\_\_\_\_  
(4) Nature of the proceeding: \_\_\_\_\_  
(5) Grounds raised: \_\_\_\_\_  
(6) Did you receive a hearing where evidence was given on your petition, application, or motion?  Yes  No  
(7) Result: \_\_\_\_\_  
(8) Date of result (if you know): \_\_\_\_\_
- (b) If you filed any second petition, application, or motion, give the same information:  
(1) Name of court: \_\_\_\_\_  
(2) Docket or case number (if you know): \_\_\_\_\_  
(3) Date of filing (if you know): \_\_\_\_\_  
(4) Nature of the proceeding: \_\_\_\_\_  
(5) Grounds raised: \_\_\_\_\_  
(6) Did you receive a hearing where evidence was given on your petition, application, or motion?  Yes  No  
(7) Result: \_\_\_\_\_  
(8) Date of result (if you know): \_\_\_\_\_
- (c) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?  
(1) First petition:  Yes  No  
(2) Second petition:  Yes  No  
(3) Third petition:  Yes  No

Page 4

(d) If you did not appeal to the highest state court having jurisdiction, explain why you did not: I  
DO NOT KNOW THE PROCESS OR KNOWLEDGE OF  
HOW TO DO THIS

---

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

Please go to Ground One

GROUND ONE: DUE PROCESS RIGHTS BEING VIOLATED, RIGHTS TO FAIR TRIAL

Page 5

- (a) Supporting facts (Briefly summarize your claim. You may provide additional argument and legal citations in a separate supporting memorandum): I WAS OVERWHELMED WITH 1ST CHARGES THAT WERE BASED MAINLY ON SPECULATION AND HEAR SAY & FABRICATED EVIDENCE, I WAS SO OVERWHELMED I FELT COASSED INTO TAKING MY FIRST PLEA OF A 5-7 ALSO THREATENED IF I DIDNT THEY WOULD HIT ME AS A REPEAT OFFENDER AND GIVE ME 10 YEARS ALL MY CHARGES ARE DUE TO ADDICTION
- (b) If you did not exhaust your state remedies on Ground One, explain why: WAIVING FOR SENTENCING I TOOK THE FIRST PLEA JUST WAITING
- (c) Direct Appeal of Ground One:  
 (1) If you appealed from the judgment of conviction, did you raise this issue?  Yes  No  
 (2) If you did not raise this issue in your direct appeal, explain why: N/A
- (d) Post-Conviction Proceedings:  
 (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?  Yes  No  
 (2) If your answer to Question (d)(1) is "Yes," state:  
 Type of motion or petition: \_\_\_\_\_  
 Name and location of the court where the motion or petition was filed: \_\_\_\_\_  
 Docket or case number (if you know): \_\_\_\_\_  
 Date of the court's decision: \_\_\_\_\_  
 Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
 (3) Did you receive a hearing on your motion or petition?  Yes  No  
 (4) Did you appeal from the denial of your motion or petition?  Yes  No  
 (5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?  Yes  No  
 (6) If your answer to Question (d)(4) is "Yes," state:  
 Name and location of the court where the appeal was filed: \_\_\_\_\_  
 Docket or case number (if you know): \_\_\_\_\_  
 Date of the court's decision: \_\_\_\_\_  
 Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
 (7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: I DONT KNOW WHAT THAT IS OR HOW TO DO
- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One: \_\_\_\_\_

GROUND TWO: ALL CHARGES LEAD TO DRUG CHARGES Page 6  
NEVER GOT HELP FROM THE STATE FOR TREATMENT  
EVEN ASKED ABOUT ADDICTION OFFENDERS ACT

- (a) Supporting facts (Briefly summarize your claim. You may provide additional argument and legal citations in a separate supporting memorandum): I HAVE FILLED OUT APPLICATIONS  
TO ALL TREATMENT CENTERS IN WYOMING SENT  
PACKETS GOT MY ASI DONE ALL WHILE INCARCERATED  
KEPT IN CONTACT WITH THEM ALL MY ASI RECOMMENDATION  
WAS THE HIGHEST LEVEL OF INPATIENT TREATMENT  
BUT STILL THE COURTS NEVER TOOK THIS INTO  
CONSIDERATION WHAT I NEED IS REHABILITATION  
BEFORE INCARCERATION
- 
- 
- 
- 
- 
- (b) If you did not exhaust your state remedies on Ground Two, explain why: \_\_\_\_\_
- (c) Direct Appeal of Ground Two:  
(1) If you appealed from the judgment of conviction, did you raise this issue?  Yes  No  
(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_
- (d) Post-Conviction Proceedings:  
(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?  Yes  No  
(2) If your answer to Question (d)(1) is "Yes," state:  
Type of motion or petition: \_\_\_\_\_  
Name and location of the court where the motion or petition was filed: \_\_\_\_\_  
Docket or case number (if you know): \_\_\_\_\_  
Date of the court's decision: \_\_\_\_\_  
Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
(3) Did you receive a hearing on your motion or petition?  Yes  No  
(4) Did you appeal from the denial of your motion or petition?  Yes  No  
(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?  Yes  No  
(6) If your answer to Question (d)(4) is "Yes," state:  
Name and location of the court where the appeal was filed: \_\_\_\_\_  
Docket or case number (if you know): \_\_\_\_\_  
Date of the court's decision: \_\_\_\_\_  
Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:
- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two: \_\_\_\_\_

GROUND THREE: ALL CHARGES WERE BOUND OVER TO DISTRICT  
EVEN ONES GUILT BY SPECULATION WITHOUT  
CONSIDERATION

Page 7

- (a) Supporting facts (Briefly summarize your claim. You may provide additional argument and legal citations in a separate supporting memorandum):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- (b) If you did not exhaust your state remedies on Ground Three, explain why: \_\_\_\_\_
- (c) Direct Appeal of Ground Three:  
 (1) If you appealed from the judgment of conviction, did you raise this issue?  Yes  No  
 (2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_
- (d) Post-Conviction Proceedings:  
 (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?  Yes  No  
 (2) If your answer to Question (d)(1) is "Yes," state:  
 Type of motion or petition: \_\_\_\_\_  
 Name and location of the court where the motion or petition was filed: \_\_\_\_\_  
 Docket or case number (if you know): \_\_\_\_\_  
 Date of the court's decision: \_\_\_\_\_  
 Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
 (3) Did you receive a hearing on your motion or petition?  Yes  No  
 (4) Did you appeal from the denial of your motion or petition?  Yes  No  
 (5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?  Yes  No  
 (6) If your answer to Question (d)(4) is "Yes," state:  
 Name and location of the court where the appeal was filed: \_\_\_\_\_  
 Docket or case number (if you know): \_\_\_\_\_  
 Date of the court's decision: \_\_\_\_\_  
 Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
 (7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:
- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three: \_\_\_\_\_

GROUND FOUR:

- (a) Supporting facts (Briefly summarize your claim. You may provide additional argument and legal citations in a separate supporting memorandum):

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

- (b) If you did not exhaust your state remedies on Ground Four, explain why:

---

(c) Direct Appeal of Ground Four:

- (1) If you appealed from the judgment of conviction, did you raise this issue?  Yes  No  
(2) If you did not raise this issue in your direct appeal, explain why:

---

(d) Post-Conviction Proceedings:

- (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?  Yes  No

- (2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

- (3) Did you receive a hearing on your motion or petition?  Yes  No

- (4) Did you appeal from the denial of your motion or petition?  Yes  No

- (5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?  Yes  No

- (6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

- (7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

---

Page 9

13. Please answer these additional questions about the petition you are filing:

(a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction?  Yes  No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them: \_\_\_\_\_

(b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them: \_\_\_\_\_

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition?  Yes  No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available. \_\_\_\_\_

15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging?  Yes  No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised. \_\_\_\_\_

16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: NICK BEDUHN CODY, WY 82414 P.O. Box 880  
SENIOR ASSISTANT PUBLIC DEFENDER

(b) At arraignment and plea: NICK BEDUHN CODY, WY 82414 P.O. Box 880

(c) At trial: \_\_\_\_\_

(d) At sentencing: NICK BEDUHN CODY, WY 82414 P.O. Box 880

(e) On appeal: \_\_\_\_\_

(f) In any post-conviction proceeding: \_\_\_\_\_

(g) On appeal from any ruling against you in a post-conviction proceeding: \_\_\_\_\_

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging?

Yes  No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future: \_\_\_\_\_

---

(b) Give the date the other sentence was imposed: \_\_\_\_\_

---

(c) Give the length of the other sentence: \_\_\_\_\_

---

(d) Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment or sentence to be served in the future?

Yes  No

Please go to Question 18

Page 11

18. **TIMELINESS OF PETITION:** If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.\* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2244(d) provides in part that:

- (1) A one-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of—
  - (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
  - (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such state action;
  - (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
  - (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.
- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief: JUSTICE ON MY BEHALF  
FOR THINGS I DIDN'T DO, JUSTICE FOR MY CASES, INJUNCTIVE  
DAMAGES, COMPENSATION FOR JOB LOSS, INJUNCTIVE DAMAGES, IS SLANDER  
or any other relief to which petitioner may be entitled. DEFAMATION OF CHARACTER

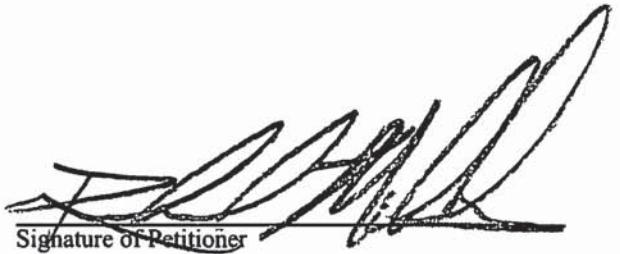
Page 12

---

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. I further declare under penalty of perjury that this Petition for Writ of Habeas Corpus was placed in the institutional mailing system or deposited with prison officials on MARCH 12th, 2017 (month, day, year). I attest that first-class postage has been prepaid.

Executed (signed) on 3/12/17 (date).



The image shows a handwritten signature in black ink, appearing to read "TOMMY JONES". Below the signature, the words "Signature of Petitioner" are printed in a small, sans-serif font.

If the person signing is not petitioner, state relationship to petitioner and explain why petitioner is not signing this petition. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3/12/17

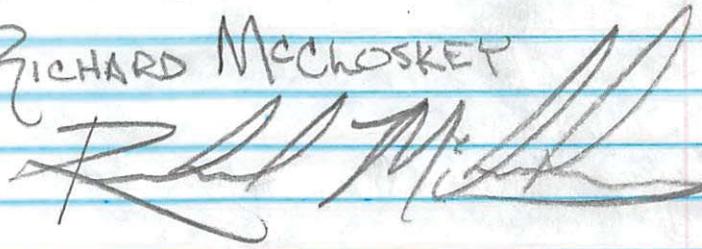
FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING

To whom it may concern-

My name is Richard Joseph McCloskey, I am sending Stephan Harris, Clerk  
A PACKET THAT I FILLED OUT TO THE BEST OF MY KNOWLEDGE, ENCLOSED WITH THIS PACKET I SENT  
A PAPER CONFIRMING MY INMATE ACCOUNT BALANCE  
AS INDENT IN PLACE OF THE CERTIFICATE OF PENAL  
INSTITUTIONAL DO TO THEM NOT PROPERLY FILLING THEM  
OUT AND SHREDDING THEM WITHOUT RETURNING  
THEM. ENCLOSED ALSO IS A FEW PAPERS REGARDING  
SOME CASES I TALKED ABOUT. I GIVE THIS COURT  
AUTHORIZATION TO DIG OR REFER TO ANY LEGAL  
MATTERS REGARDING ME RICHARD JOSEPH  
MCCLOSKEY DATED THIS DAY THE 12th OF  
MARCH 2017. I WOULD ALSO LIKE SOME CIVIL  
RIGHTS PACKETS OR PETITIONS DO TO SOME  
INCIDENTS THAT HAVE GONE ON IN PARK  
COUNTY DETENTION CENTER WHILE INCARCERATED  
THANK YOU FOR YOUR TIME

Much Respect.

RICHARD McCLOSKEY



vs.

**RICHARD JOSEPH McCLOSKEY,**  
*Defendant.*

---

## WARRANT

---

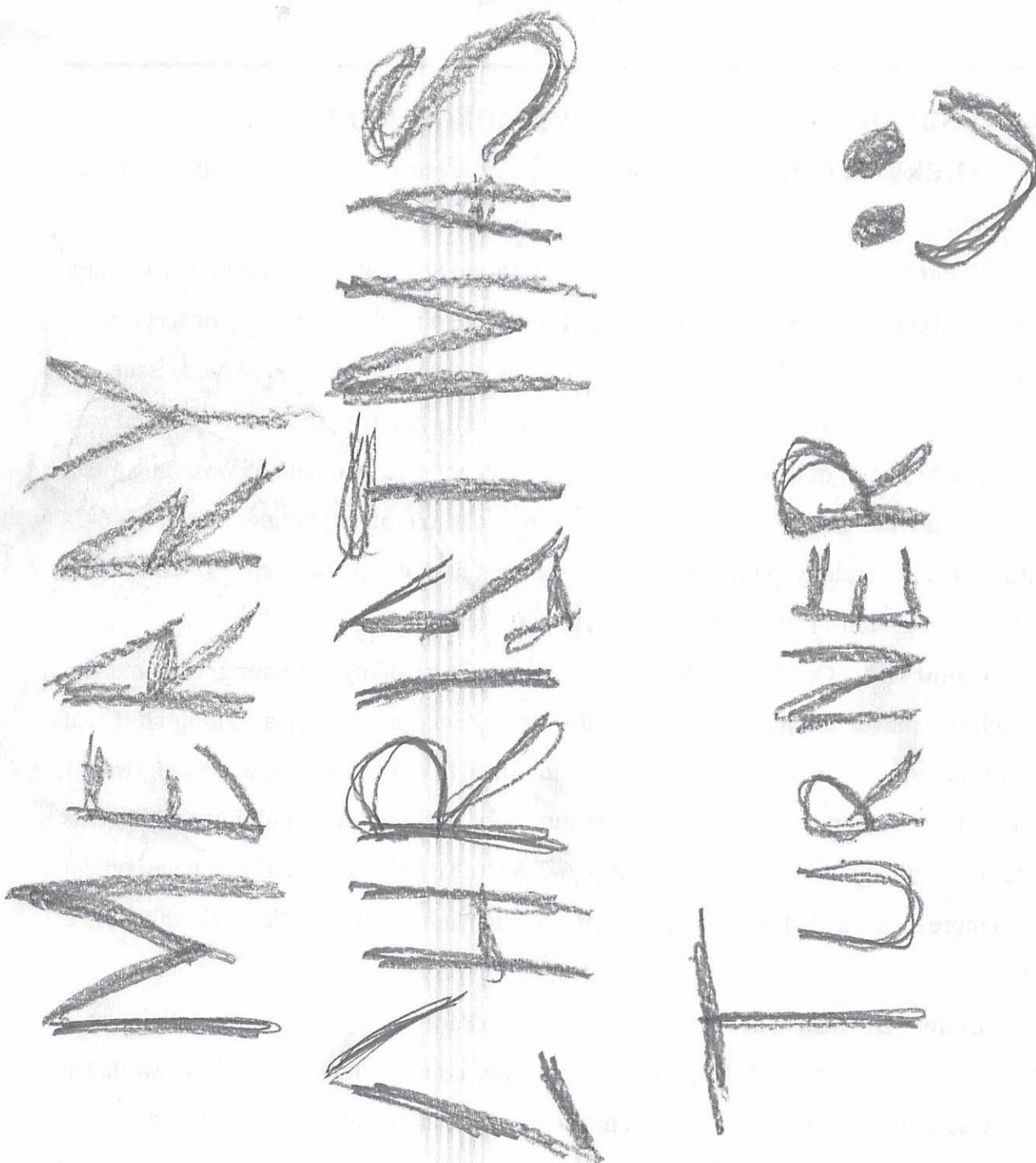
**TO ANY SHERIFF IN THE STATE OF WYOMING, GREETINGS:**

**WHEREAS**, Affidavit having been made before me, on oath, that the above-named Defendant:

**Count I:** On or between August 26, 2016 and September 9, 2016, in Park County, Wyoming, did unlawfully use a credit card with the intent to obtain property or services by fraud, to wit, used a credit card, or the number or description of a credit card, issued to another person without the consent of that person, and the value of the property or services obtained in violation of this section within a sixty day period in the state of Wyoming totals one thousand dollars (\$1,000.00) or more, in violation of Wyoming Statute § 6-3-802(a)(i)(b)(iii), a felony, punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

**Count II:** On or about August 26, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for twelve dollars and thirty-eight cents (\$12.38), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

**Count III:** On or about August 26, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for ninety-four dollars and twenty-five cents (\$94.25), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.



purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Rocky Mountain Discount Sports for fifty-eight dollars and forty-three cents (\$58.43), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count V:** On or about August 27, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Rocky Mountain Discount Sports for ninety-eight dollars and seventy-eight cents (\$98.78), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count VI:** On or about August 29, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Domino's Pizza for sixty dollars and twenty-26 cents (\$60.26), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count VII:** On or about August 30, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Good to Go for eighty dollars and fifty cents (\$80.50), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count VIII:** On or about August 30, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Linton's Big R for one hundred ninety dollars and twenty-

violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more  
than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

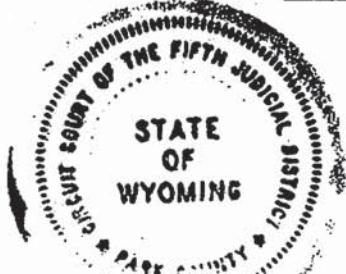
**Count XI:** On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Shopko for one hundred two dollars and ninety-five cents (\$102.95), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

**Count XII:** On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Maverick for fifty-eight dollars and five cents (\$58.05), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

**Count XIII:** On or about September 8, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Shopko for ninety-seven dollars and sixty-two cents (\$97.62), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both.

**NOW, THEREFORE**, in the name of the State of Wyoming, you are hereby commanded forthwith to apprehend and arrest the above-named defendant and bring the defendant before the Court to be dealt with according to law.

DATE: Oct 6 2016 / 3, 2016.



  
**HONORABLE BRUCE B. WATERS**  
Circuit Court Judge

DOB:	03/19/1988
SSN:	358-84-1762
LKA:	Park County Detention Center

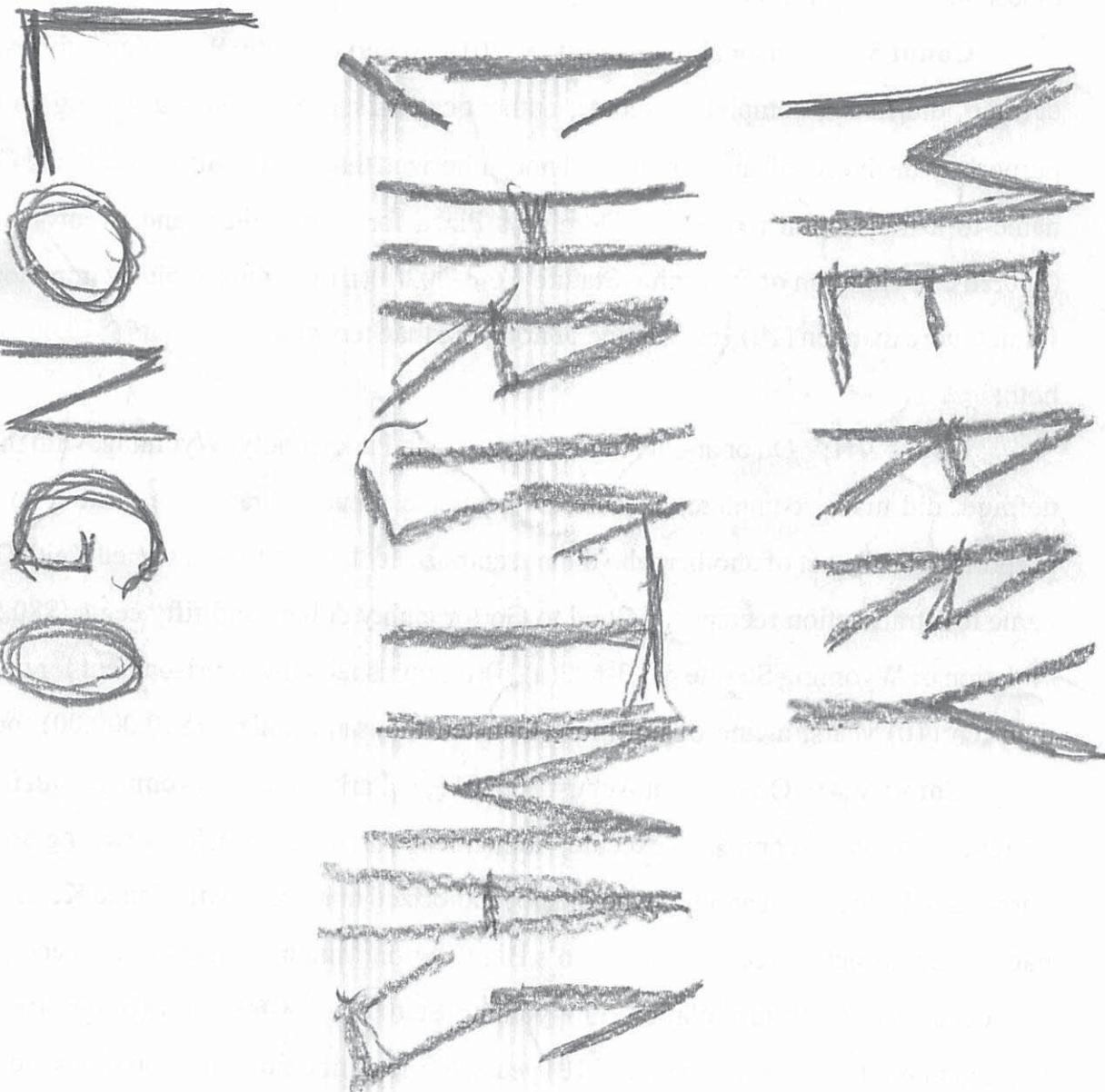
**Count V:** On or about August 27, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Rocky Mountain Discount Sports for ninety-eight dollars and seventy-eight cents (\$98.78), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

**Count VI:** On or about August 29, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Domino's Pizza for sixty dollars and twenty-26 cents (\$60.26), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

**Count VII:** On or about August 30, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Good to Go for eighty dollars and fifty cents (\$80.50), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

**Count VIII:** On or about August 30, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Linton's Big R for one hundred ninety dollars and twenty-five cents (\$190.25), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both;

**Count IX:** On or about August 31, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Mountain West Computer for forty-three dollars and sixty-seven cents (\$43.67), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars



**STATE OF WYOMING,**  
*Plaintiff,*

*vs.*

**RICHARD J. MCCLOSKEY,**  
*Defendant.*

---

## **WARRANT**

---

**TO ANY SHERIFF IN THE STATE OF WYOMING, GREETINGS:**

**WHEREAS**, Affidavit having been made before me, on oath, that the above-named Defendant:

**COUNT I:** On or about June 16, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Thirty Dollars (\$30.00) at ExxonMobil, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

**COUNT II:** On or about June 17, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Sixteen Dollars and Twelve Cents (\$16.12) at Maverik #346, in Powell, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

**COUNT III:** On or about June 17, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person,

802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6)

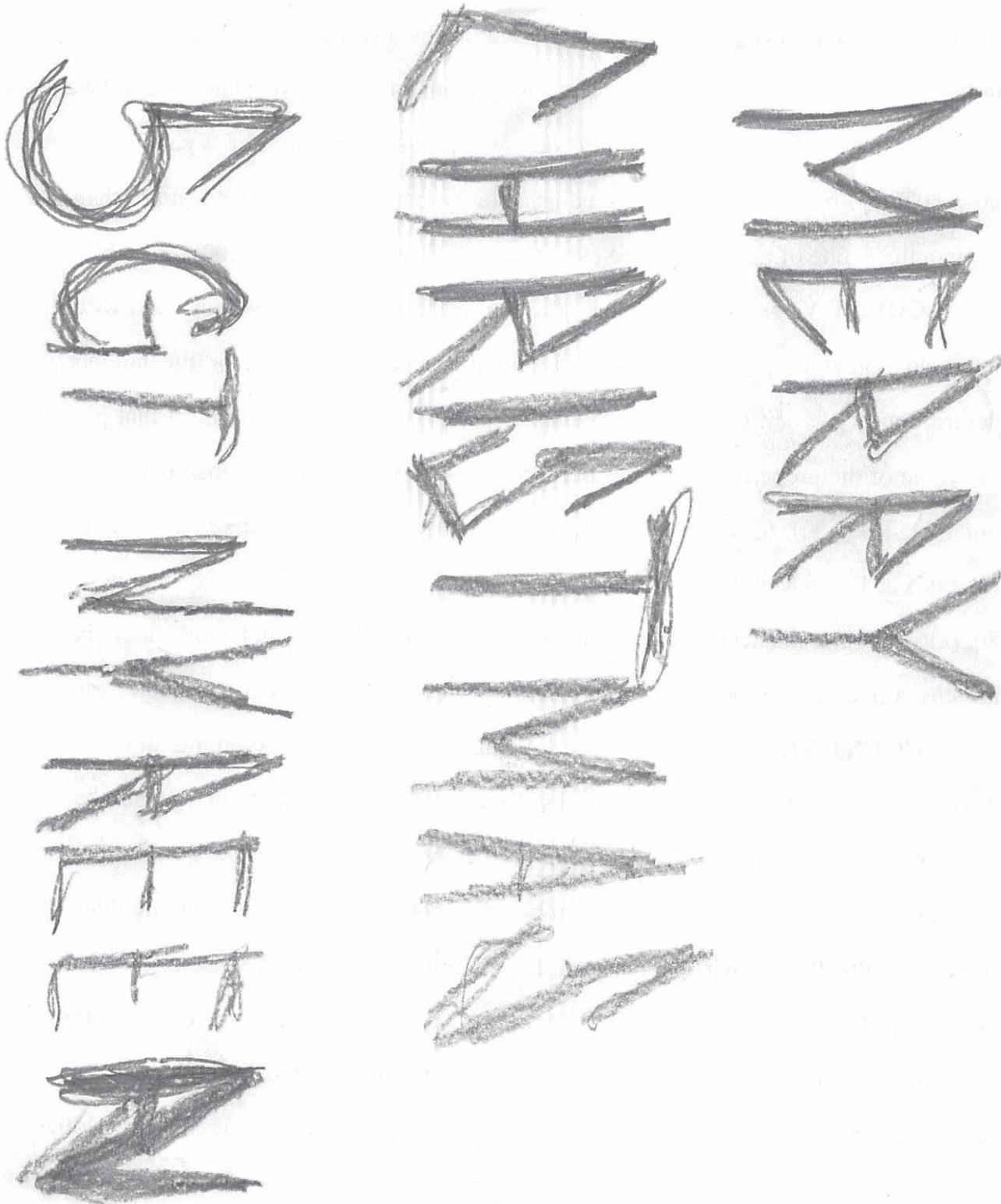
months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

**COUNT IV:** On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Fifty-Two Dollars and Twenty Cents (\$52.20) at Blair's Market, in Powell, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

**COUNT V:** On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Twelve Dollars and Seven Cents (\$12.07) at ExxonMobil, in Ralston, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

**COUNT VI:** On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Four Hundred Sixty-Six Dollars and Eight Cents (\$466.08) at Sunlight Sports, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both.

**COUNT VII:** On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand



intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Five Dollars and Three Cents (\$5.03) at ExxonMobil, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**COUNT IV:** On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Fifty-Two Dollars and Twenty Cents (\$52.20) at Blair's Market, in Powell, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**COUNT V:** On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Twelve Dollars and Seven Cents (\$12.07) at ExxonMobil, in Ralston, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**COUNT VI:** On or about June 18, 2016, in Park County, Wyoming, did with the

Case 1:17-cv-00045-SWS Document 1 Filed 03/15/17 Page 23 of 53

dollars (\$1,000.00), to wit: purchase in the amount of Four Hundred Sixty-Six Dollars and Eight Cents (\$466.08) at Sunlight Sports, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**COUNT VII:** On or about June 18, 2016, in Park County, Wyoming, did with the intent to obtain property or services by fraud, use a credit card, or the number or description of a credit card, issued to another person without the consent of that person, the value of the property or services purchased or obtained being less than one thousand dollars (\$1,000.00), to wit: purchase in the amount of Fourteen Dollars and Fifty-Five Cents (\$14.55) at K-Mart, in Cody, Wyoming, in violation of Wyoming Statute §6-3-802(a)(i)(b)(i), a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**FOR PROBABLE CAUSE:** See the Affidavit of Brett Lara, Investigator with the Powell Police Department, attached hereto and incorporated herein by this reference.

**WHEREFORE,** the undersigned prays that a warrant issue for the arrest of the above-named Defendant.

**DATED:** October 4, 2016.

**STATE OF WYOMING**

T. Blatt  
\_\_\_\_\_  
Timothy J. Blatt, WSB #6-3517  
Deputy Park County and Prosecuting Attorney

Brooke Conners at Rodeo West. Detective Parduba advised her of his investigation and the  
Case 1:17-cv-00045-SWS Document 1 Filed 03/15/17 Page 24 of 53  
purchase made at the store on June 16, 2016. She informed Detective Parduba the purchase was  
for gas and that there are no security cameras that would show the suspect.

On Thursday, July 7, 2016, at approximately 1:36 p.m., Detective Parduba spoke with Morgan Simmons from Good 2 Go. She informed Detective Parduba that the purchase was made at the gas pumps. However, the security camera footage had already been taped over; that the cameras copy over previous footage every fourteen days. She did provide Detective Parduba with a copy of the receipt for the purchase.

On Friday, July 8, 2016, at approximately 10:50 a.m., Detective Parduba met with K Mart Store Manager, Nicole Cannon, at K Mart. She gave Detective Parduba a copy of the print out for the purchase made. She said it was for a bottle of Coleman fuel. She said the purchaser checked out through the garden area.

On Thursday, July 7, 2016, Detective Parduba contacted me in regards to this case and the purchase made in Powell. According to Detective Parduba, 2 suspects, possibly females, entered the store on Saturday, June 18, 2016, at approximately 9:03 p.m. and purchased some items using a stolen credit card. The amount charged on the card was \$52.20. The stolen Toys R Us credit card, bearing number 5243-6310-1674-8574, was taken from Jeremy Fabricius, who resides in Cody, Wyoming. The authorization number for the transaction was 01752Z. I stopped by Blair's and left a message for Kyle Foulger, Assistant Manager, to try and find any surveillance footage of the suspects.

On Friday, July 8, 2016, Detective Parduba spoke with J. Fabricius. J. Fabricius informed Detective Parduba that he does have a security system in the house but that he does not have it armed. He did tell Detective Parduba that he has a keypad type lock on the front door of his residence. He said that while he was away on vacation, his three step daughters, Shannon Yates, Thai Hilliard and Lindsay Voss, had access to his house and used the keypad lock to gain access. Each one has their own individual code. He said he could supply me with a history list that had times and dates of when the keypad was used. Detective Parduba asked that he email it to me. He assured me that he doesn't believe any of his step daughters are involved in the theft.

Parduba met with K Mart Store Manager, Nicole Cannon, at K Mart, located at 2121 17th Street.

Case 1:17-cv-00045-SWS Document 1 Filed 03/15/17 Page 25 of 53  
Detective Parduba advised her of the purchase made at K Mart on June 18, 2016. Detective

Parduba asked if there would be any security camera footage of this transaction. Cannon informed Detective Parduba that their security cameras have been down since May. There would be no footage available. Detective Parduba asked if she could check records for the purchase. She said she would and get back to him.

On Thursday, July 7, 2016, at approximately 9:32 a.m., Detective Parduba met with Good 2 Go Store Manager, Morgan Simmons. Detective Parduba informed her of the purchase made at a Good 2 Go store, on June 17, 2016. She advised Detective Parduba she would need to know which one of the three stores the purchase was made at. Detective Parduba advised her that he would try and get the store number for her. Simmons called the Good 2 Go in Ralston for Detective Parduba, in regards to a purchase made at that store on June 18, 2016. She spoke with Thea LNU and was advised that store does not have security cameras.

On Thursday, July 7, 2016, at approximately 10:20 a.m., Detective Parduba spoke with Sunlight Sports Store Office Manager, Amber Bryant, via phone. Detective Parduba informed her of the purchase made at her store on June 18, 2016 and asked if there are security cameras in the store. She advised Detective Parduba there are none. She did say she might have an electronic capture of the purchaser's signature. Detective Parduba asked if she could send me a copy of that. She said she would email it to him.

On Thursday, July 7, 2016, at approximately 10:29 a.m., Detective Parduba received an email from Bryant. Attached was a copy of the signature for the suspect. It is sloppy but looks like they tried to sign it as Jeremy Fabricius.

On Thursday, July 7, 2016, at approximately 10:55 a.m., Detective Parduba spoke with Sycony Bank, the bank for the credit card. Detective Parduba spoke with Yvette LNU in their fraud department. Detective Parduba advised her of this investigation and requested her assistance in finding out which gas stations in Cody the purchases were made at since the addresses and names are not listed on the credit card statement. Yvette was able to tell Detective Parduba that the purchase at the Good 2 Go on June 17, 2016, was at store number 4, which is

**Count IX:** On or about August 31, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Mountain West Computer for forty-three dollars and sixty-seven cents (\$43.67), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count X:** On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Pit Stop #12 for five dollars and eight cents (\$5.08), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count XI:** On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Shopko for one hundred two dollars and ninety-five cents (\$102.95), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count XII:** On or about September 2, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for Maverick for fifty-eight dollars and five cents (\$58.05), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count XIII:** On or about September 8, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it

J. Fabricius showed Officer Harris a partial printout of his credit card statement that

indicated there was \$596.05 in charges on the card. However, he believed there were a few more transactions on the account that he did not print out. The following is a list of some of the allegedly fraudulent transactions made on the card:

-	6/16	ExxonMobil	Cody	\$30.00
-	6/17	Maverik #346	Powell	\$16.12
-	6/17	ExxonMobil	Cody	\$5.03
-	6/18	Blairs Market	Powell	\$52.20
-	6/18	Exxonmobil	Ralston	\$12.07
-	6/18	Sunlight Sports	Cody	\$466.08
-	6/18	Kmart	Cody	\$14.55

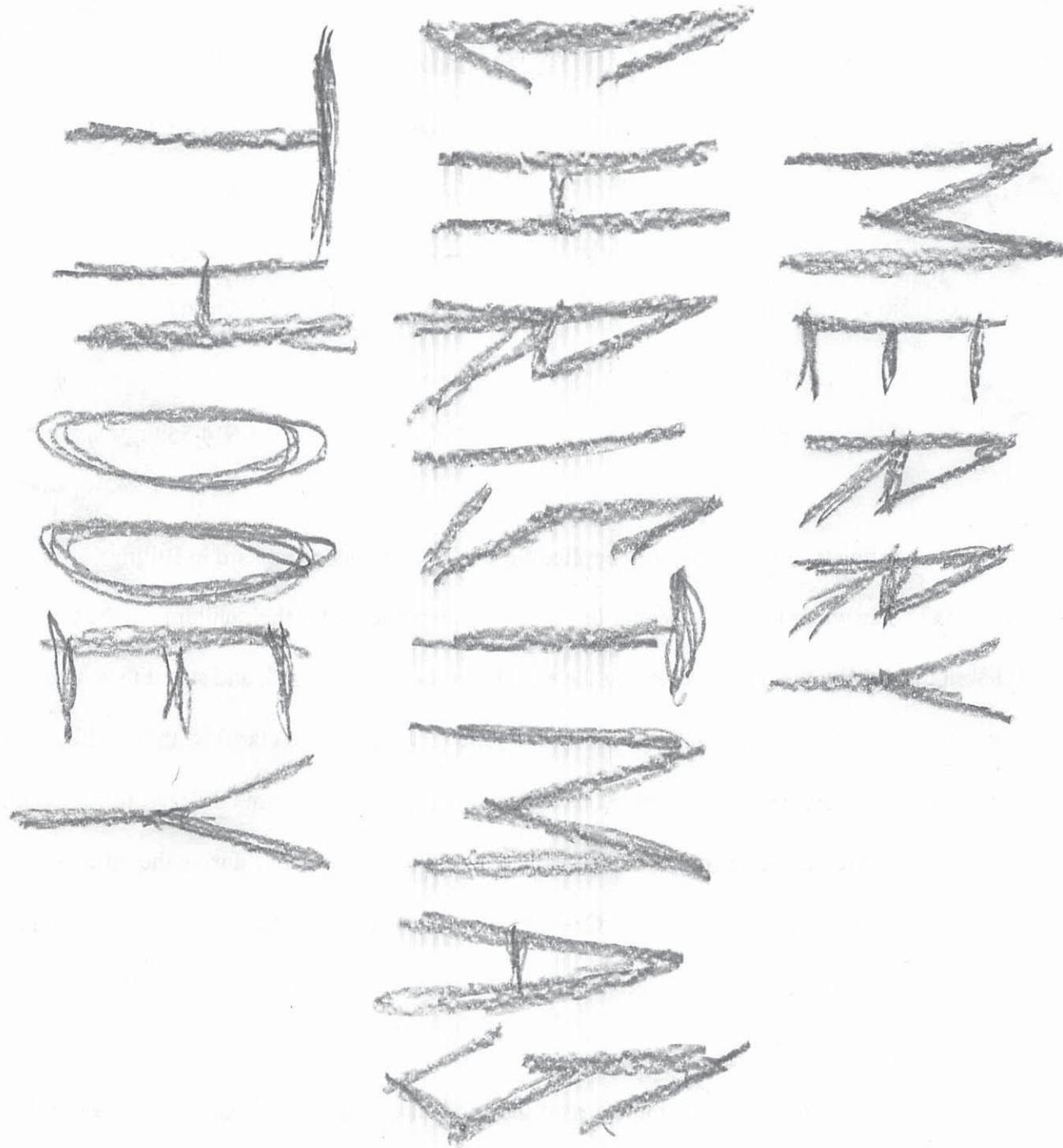
According to J. Fabricius, they applied for the Toys R Us Credit Card in Billings, Montana in December to get a discount on some toys they bought for their children at the time. J. Fabricius did not recall ever receiving the actual credit card in the mail and stated they have never used the card since they applied for it. J. Fabricius was going to clarify with his wife if she had received the card and where it might have been in the house at the time they left for vacation.

J. Fabricius stated the only people that had access to the residence during the time they were gone was his step-daughters, Thai Coe, Shannon Yates, and Lindsay Voss. The girls were asked to check on the house while Jeremy and Imy were away and they were there multiple times during that time period.

J. Fabricius had asked the three girls if they had taken and used the card. All three told him they had not.

J. Fabricius also indicated he had an alarm system on the residence, but depending on the circumstances, it may or may not have been armed.

J. Fabricius indicated there were lots of other valuable items in the house that were



*Plaintiff,*

vs.

**RICHARD JOSEPH McCLOSKEY,**  
*Defendant.*

---

## WARRANT

---

**TO ANY SHERIFF IN THE STATE OF WYOMING, GREETING:**

**WHEREAS**, the State of Wyoming has filed herein a Motion for Warrant, wherein the State requests that a Warrant issue for the arrest of the Defendant on the underlying charges herein, and the Court having reviewed the same and finding good cause to issue the same;

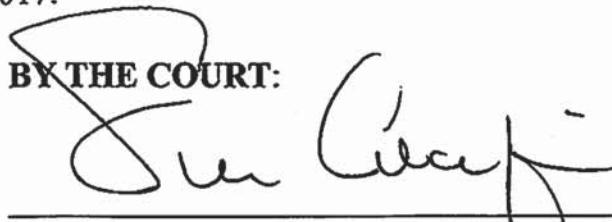
**Count I:** Unlawful use of a credit card with the intent to obtain property or services by fraud, to wit; used a credit card, or the number or description of a credit card, issued to another person without the consent of that person, and the value of the property or services obtained in violation of this section within a sixty day period in the state of Wyoming totals One Thousand Dollars (\$1,000.00) or more, in violation of Wyoming Statute §6-3-802(a)(i)(b)(iii), a felony;

**Count II:** With intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorize that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for Twelve Dollars and Thirty-Eight cents (\$12.38), in violation of Wyoming Statute §6-3-602(a)(ii)(b), a felony.

**YOU ARE, THEREFORE, HEREBY COMMANDED** forthwith to arrest the above-named Defendant and bring the Defendant before the Court for further proceedings.

**DATED** February 10<sup>th</sup>, 2017.

*BY THE COURT:*

  
HONORABLE STEVEN CRANFILL  
District Court Judge

## R E T U R N

STATE OF WYOMING }  
COUNTY OF PARK }

I hereby certify that I received the above Warrant filed in the above matter, that I served the same in Park County on \_\_\_\_\_ by delivering copies of both to  
\_\_\_\_\_  
\_\_\_\_\_.

SHERIFF

BY:

DEPUTY

**PARK COUNTY, WYOMING**

Case 1:17-cv-00045-SWS Document 1 Filed 03/15/17 Page 31 of 53

**STATE OF WYOMING**

*Plaintiff,*

vs.

**RICHARD J. MCCLOSKEY,**

*Defendant.*

**Criminal Docket No. 5698**

---

**REQUEST PRETRIAL CONFERENCE AND JURY TRIAL SETTING**

---

COMES NOW the State of Wyoming, by and through Timothy J. Blatt, Deputy Park County and Prosecuting Attorney, and hereby requests the Court for an Order Setting Date and Time for Pretrial Conference and Jury Trial.

**DATED:** November 8 2016.

**STATE OF WYOMING:**

BY:

T - Blatt

Timothy J. Blatt, WSB #6-3517  
Deputy Park County and Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that I served a true and correct copy of the foregoing Request upon the attorney for the Defendant, Nick Beduhn, by placing a copy of the same in U.S. mail, postage prepaid, addressed to Nick Beduhn, P.O. Box 880, Cody, Wyoming 82414, on November 8, 2016.

T - Blatt

Timothy J. Blatt

vs.

**RICHARD J. MCCLOSKEY,**  
*Defendant.*

---

**STATE'S DEMAND FOR RECIPROCAL DISCOVERY**

---

COMES NOW the State of Wyoming, by and through Timothy J. Blatt, Deputy Park County and Prosecuting Attorney, and hereby makes demand upon the Defendant for the disclosure of evidence pursuant to Rule 16(b) and Rule 26.2 of the Wyoming Rules of Criminal Procedure.

DATED November 9, 2016.

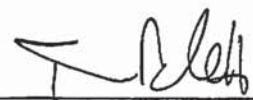
**STATE OF WYOMING**

BY:

  
\_\_\_\_\_  
Timothy J. Blatt, WSB #6-3517  
Deputy Park County and Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that I served a true and correct copy of the foregoing Request for Reciprocal Discovery upon the attorney for the Defendant, Nick Beduhn, by placing a copy of the same in U.S. mail, postage prepaid, addressed to Nick Beduhn, P.O. Box 880, Cody, Wyoming 82414, on November 9, 2016.

  
\_\_\_\_\_  
Timothy J. Blatt

STATE OF WYOMING

Criminal Case No. 5697

*Plaintiff,*

vs.

RICHARD JOSEPH McCLOSKEY,

*Defendant.*

---

### ORDER SETTING ARRAIGNMENT HEARING

---

THIS MATTER came before the Court upon the State's Request for Arraignment Hearing; and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that an Arraignment Hearing be scheduled for Dec 2, 2016, at 3:00 o'clock P.M., in District Court, Fifth Judicial District, Park County Courthouse, Cody, Wyoming.

DATED: <sup>Dec</sup> October 1, 2016.

BY THE COURT:

  
HONORABLE STEVEN CRANFILL  
District Court Judge

Branden S. Vilos H  
Nick Beduhn F  
Deb Carroll H  
Jail F

STATE OF WYOMING,

DOCKET NO. CR-2016-134 POW

Plaintiff,

-vs-

RICHARD J. McCLOSKEY

Defendant.

ARRAIGNMENT & SENTENCING ORDER

CHANGE OF PLEA

Charge 35-7-1031 ciC --- Poss.cont.substance (powder/crystal) Citation No. \_\_\_\_\_

Advised of charges and penalty  Advised of constitutional rights

Attorney: Waived  Retained  Appointed  Name: N 134 DR

Plea: GUILTY  Finding: GUILTY

NOT GUILTY  NOT GUILTY

NO CONTEST  DISMISSED

Bond set at \$ \_\_\_\_\_

Conditions of the bond: \_\_\_\_\_

The above case has been set for:

Preliminary Hearing \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

Pre-Trial Conference \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

Jury Trial \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

Trial to Court \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

SENTENCE

Fine \$ \_\_\_\_\_ Public Def Fees \$ \_\_\_\_\_

Costs \$ 40 Amount Suspended \$ \_\_\_\_\_

Victim Surcharge \$ 15.00 TOTAL \$ 34.00

Jail Time \_\_\_\_\_ Time Suspended \_\_\_\_\_

Probation \_\_\_\_\_ Unsupervised / Supervised

Restitution \$ \_\_\_\_\_

Stay of Execution to \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
Conditions of suspension of fine / jail \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DONE this 6 day of FEBRUARY, 2012.

TJ

COUNTY ATTORNEY

D

JUDGE

N. B. S.

DEFENSE ATTORNEY

R. D. M.

DEFENDANT

PARENTAL SIGNATURE

STATE OF WYOMING,

Plaintiff,

-vs-

RICHARD J. McCLOSKEY

Defendant.

DOCKET NO. CR-2016-98 POW

ARRAIGNMENT & SENTENCING ORDER

CHANGE OF PLEA

Charge I: 6-3-303 a --- Criminal trespass Citation No. 97648H

II: 6-3-201 a(bi) --- Property destruction less than \$1000 97649H

Advised of charges and penalty \_\_\_\_\_ ADVISED of constitutional rights \_\_\_\_\_

Attorney: Waived \_\_\_\_\_ Retained \_\_\_\_\_ Appointed \_\_\_\_\_ Name: N. Johnson

Plea: GUILTY \_\_\_\_\_ Finding: GUILTY \_\_\_\_\_

NOT GUILTY \_\_\_\_\_ NOT GUILTY \_\_\_\_\_

NO CONTEST \_\_\_\_\_ DISMISSED \_\_\_\_\_

Bond set at \$ \_\_\_\_\_

Conditions of the bond: \_\_\_\_\_

The above case has been set for:

Preliminary Hearing \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

Pre-Trial Conference \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

Jury Trial \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

Trial to Court \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

SENTENCE

Fine	\$ _____	Public Def Fees	\$ _____
Costs	\$ _____	Amount Suspended	\$ _____
Victim Surcharge	\$ _____	TOTAL	\$ _____

Jail Time \_\_\_\_\_ Time Suspended \_\_\_\_\_

Probation \_\_\_\_\_ Unsupervised / Supervised

Restitution \$ \_\_\_\_\_

Stay of Execution to \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
Conditions of suspension of fine / jail \_\_\_\_\_

DONE this 6 day of May, 2017.

COUNTY ATTORNEY

DEFENSE ATTORNEY

DEFENDANT

JUDGE

PARENTAL SIGNATURE

STATE OF WYOMING,

CR-2016-153 POW  
DOCKET NO.

Plaintiff,

-vs-

RICHARD J. McCLOSKEY

Defendant.

ARRAIGNMENT & SENTENCING ORDER

CHANGE OF PLEA

Charge I-VII: 6-3-802 ai(bi) --- Use another's credit card less than \$1000 Citation No. \_\_\_\_\_

Advised of charges and penalty \_\_\_\_\_ Advised of constitutional rights \_\_\_\_\_

Attorney: Waived \_\_\_\_\_ Retained \_\_\_\_\_ Appointed \_\_\_\_\_ Name: W. B. M.

Plea: GUILTY \_\_\_\_\_ Finding: GUILTY \_\_\_\_\_

NOT GUILTY \_\_\_\_\_ NOT GUILTY \_\_\_\_\_

NO CONTEST \_\_\_\_\_ DISMISSED 282 B.M.

Bond set at \$ \_\_\_\_\_

Conditions of the bond: \_\_\_\_\_

The above case has been set for:

Preliminary Hearing \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ A.M., P.M.

Pre-Trial Conference \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ A.M., P.M.

Jury Trial \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ A.M., P.M.

Trial to Court \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ A.M., P.M.

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ A.M., P.M.

SENTENCE

Fine \$ \_\_\_\_\_ Public Def Fees \$ UNPAID D/PY

Costs \$ \_\_\_\_\_ Amount Suspended \$ \_\_\_\_\_

Victim Surcharge \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_

Jail Time \_\_\_\_\_ Time Suspended \_\_\_\_\_

Probation \_\_\_\_\_ Unsupervised / Supervised

Restitution \$ \_\_\_\_\_

Stay of Execution to \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
Conditions of suspension of fine / jail \_\_\_\_\_

DONE this 6 day of May, 20 17.

T. L. M.  
COUNTY ATTORNEY

J. F.  
JUDGE

L. B. S.  
DEFENSE ATTORNEY

R. J. M.  
DEFENDANT

PARENTAL SIGNATURE

STATE OF WYOMING,

DOCKET NO. CR-2016-165 POW

Plaintiff,

-vs-

RICHARD J. McCLOSKEY

Defendant.

ARRAIGNMENT & SENTENCING ORDER

CHANGE OF PLEA

Charge 6-3-406 aiii --- Defraud innkeeper less than \$1000

Citation No. \_\_\_\_\_

Advised of charges and penalty \_\_\_\_\_ Advised of constitutional rights \_\_\_\_\_

Attorney: Waived \_\_\_\_\_ Retained \_\_\_\_\_ Appointed \_\_\_\_\_ Name: \_\_\_\_\_

Plea: GUILTY \_\_\_\_\_ Finding: GUILTY \_\_\_\_\_  
NOT GUILTY \_\_\_\_\_ NOT GUILTY \_\_\_\_\_  
NO CONTEST \_\_\_\_\_ DISMISSED 1 p42 Agm

Bond set at \$ \_\_\_\_\_

Conditions of the bond: \_\_\_\_\_

The above case has been set for:

Preliminary Hearing \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.  
Pre-Trial Conference \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.  
Jury Trial \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.  
Trial to Court \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

SENTENCE

Fine \$ \_\_\_\_\_ Public Def Fees \$ CRIMINAL FEE  
Costs \$ \_\_\_\_\_ Amount Suspended \$ \_\_\_\_\_  
Victim Surcharge \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_

Jail Time \_\_\_\_\_

Time Suspended \_\_\_\_\_

Probation \_\_\_\_\_

Unsupervised / Supervised

Restitution \$ 10.00庭前款

Stay of Execution to \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
Conditions of suspension of fine / jail \_\_\_\_\_

DONE this 6 day of June, 20 17.

COUNTY ATTORNEY

DEFENSE ATTORNEY

DEFENDANT

JUDGE

PARENTAL SIGNATURE

CR-2016-98-POW

CR-2016-134-POW

CR-2016-153-POW

CR-2016-2239-COD

CR-2016-165-POW

STATE OF WYOMING, )

PLAINTIFF, )

vs. )

RICHARD MCCLOSKEY, )

DEFENDANT. )

F I L E D

FEB 02 2017

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT  
PARK COUNTY, WYOMING  
Peggy L Farman, ClerkBy ASHLEY RIES Deputy**REQUEST FOR CHANGE OF PLEA AND SENTENCING HEARING**

COMES NOW Nick Beduhn, court appointed counsel for the above-named individual and requests the Court set this matter for a Change of Plea and Sentencing Hearing in and for the following reasons:

1. The parties have reached a Plea Agreement for presentation to the Court.

WHEREFORE IT IS RESPECTFULLY REQUESTED that the Circuit Court set a Change of Plea and Sentencing Hearing in this matter.

DATED this 2<sup>nd</sup> day of February, 2017.

  
Nick Beduhn  
W.S.B. #6-3763  
Senior Assistant Public Defender  
P.O. Box 880  
Cody, WY 82414  
307.587.2285**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that I served a copy of the foregoing Request for Change of Plea and Sentencing Hearing, by hand-delivering a copy thereof addressed to Tim Blatt, Deputy Park County and Prosecuting Attorney, 1002 Sheridan Ave, Cody, WY 82414, this 2<sup>nd</sup> day of February, 2017.

  
Nick Beduhn

1,02  
70  
335  
2090  
2040

2108 X 2  
5011 X 3  
5852 X 2  
2610 X 1  
5438 X 1  
5409 X 1

-vs-

RICHARD J. MCCLOSKEY

Defendant.

**BOND CONDITIONS**Bond Amount \$ 1000 Cash \$ 1000 Acceptable Bail Bond \$ \_\_\_\_\_ Property \$ \_\_\_\_\_

You must comply with all conditions checked:

 1. Do not violate any local, state or federal law. 2. Keep in contact with your attorney. 3. Immediately notify the Circuit Court Clerk at:  
of any change of address or phone number. Cody • 307-527-8590 Powell • 307-754-8890(If represented by counsel, keeping your attorney notified of  
your address and phone number complies with this requirement.) 4. Appear for all court appearances. 5. Do not leave  Park County  State of Wyoming without permission from the Judge. 6. Do not drink or possess alcoholic beverages or any illegal controlled substances, or be in places whose primary source of income is derived from alcohol sales. 7. Submit to random testing of your blood, breath and/or urine for the presence of alcohol or illegal controlled substances by law enforcement officers or your probation officer if on probation. 8. Report in person to the Park County Sheriff's Office or the \_\_\_\_\_ Police Department at least \_\_\_\_\_ between the hours of \_\_\_\_\_ .M. and \_\_\_\_\_ .M. 9. Do not have any contact with SUPER 8 MOTEL - DOWNTOWN. 10. Do not bother or harass any witness to this matter. 11. Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ 12. Reappear before this Court on FEB 13 2017 at the hour of 10:00 A .M. at the  
 Cody  Powell courtroom for: Bench Trial Jury Trial Preliminary Hearing Pretrial Conference Sentencing Revocation Hearing

STATE OF WYOMING,

DOCKET NO. CR-2016-165 POW

Plaintiff,

-vs-

RICHARD J. MCCLOSKEY

Defendant.

Charge 6-3-406 aiii ---- Defraud Innkeeper less than \$1000

Citation No. \_\_\_\_\_

Advised of charges and penalty \_\_\_\_\_ Advised of constitutional rights \_\_\_\_\_

Attorney: Waived \_\_\_\_\_ Retained \_\_\_\_\_ Appointed \_\_\_\_\_ Name: *JKH*

Plea: GUILTY \_\_\_\_\_ Finding: GUILTY \_\_\_\_\_

NOT GUILTY \_\_\_\_\_ NOT GUILTY \_\_\_\_\_

NO CONTEST \_\_\_\_\_ DISMISSED \_\_\_\_\_

Bond set at \$ *100*

Conditions of the bond: *SSC*

The above case has been set for:

Preliminary Hearing \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_. A.M., P.M.

Pre-Trial Conference *13* day of *Februray*, 20 *17*, at *11:00* A.M., P.M.

Jury Trial *2* day of *March*, 20 *17*, at *8:30* A.M., P.M.

Trial to Court \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_. A.M., P.M.

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_. A.M., P.M.

**SENTENCE**

Fine \$ \_\_\_\_\_ Public Def Fees \$ \_\_\_\_\_

Costs \$ \_\_\_\_\_ Amount Suspended \$ \_\_\_\_\_

Victim Surcharge \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_

Jail Time \_\_\_\_\_ Time Suspended \_\_\_\_\_

Probation \_\_\_\_\_ Unsupervised / Supervised

Restitution \$ \_\_\_\_\_

Stay of Execution to \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. , 20\_\_\_\_\_. , 20\_\_\_\_\_.

Conditions of suspension of fine / jail \_\_\_\_\_

DONE this *21* day of *March*, 20 *16*.

*Bruce L. S.*

COUNTY ATTORNEY

*A*

JUDGE

DEFENSE ATTORNEY

*R. J. McCloskey*

DEFENDANT

PARENTAL SIGNATURE

STATE OF WYOMING,

OCT 11 2015

DOCKET NO. \_\_\_\_\_

Plaintiff,  
-vs-

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT  
PARK COUNTY, WYOMING  
Henry L. Farmer, Clerk  
By **JOCELYN BLAKESLEY**, Deputy

Richard McCloskey,

Defendant.

ARRAIGNMENT & SENTENCING ORDER

Charge 35 357-1031 C/C Poss of Contr Svc P Citation No. 648255

Advised of charges and penalty  Advised of constitutional rights

Attorney: Waived \_\_\_\_\_ Retained \_\_\_\_\_ Appointed \_\_\_\_\_ Name: pdet

Plea: GUILTY Finding: GUILTY

NOT GUILTY Finding: NOT GUILTY

NO CONTEST Finding: DISMISSED

Bond set at \$ 2000.00

Conditions of the bond: SSS (444)

The above case has been set for:

Preliminary Hearing \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

Pre-Trial Conference 30 day of JANUARY, 20 17, at 10:15 A.M., P.M.

Jury Trial 16 day of FEBRUARY, 20 17, at 8:30A A.M., P.M.

Trial to Court \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

SENTENCE

Fine \$ \_\_\_\_\_ Public Def Fees \$ \_\_\_\_\_

Costs \$ \_\_\_\_\_ Amount Suspended \$ \_\_\_\_\_

Victim Surcharge \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_

Jail Time \_\_\_\_\_ Time Suspended \_\_\_\_\_

Probation \_\_\_\_\_ Unsupervised / Supervised

Restitution \$ \_\_\_\_\_

Stay of Execution to \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
Conditions of suspension of fine / jail \_\_\_\_\_

DONE this 10 day of October, 20 16.

*Brad L. Eiler*  
COUNTY ATTORNEY

*T*  
JUDGE

DEFENSE ATTORNEY

*67 view*  
DEFENDANT

PARENTAL SIGNATURE

-vs-

F I L E D  
OCT 11 2016Richard J. McCloskey,  
Defendant.CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT  
PARK COUNTY, WYOMING  
Peggy L. Farman, Clerk**BOND CONDITIONS** By **JOCELYN BLAKESLEY** DeputyBond Amount \$ 2000 Cash \$ ✓ Acceptable Bail Bond \$ \_\_\_\_\_ Property \$ \_\_\_\_\_

You must comply with all conditions checked:

1. Do not violate any local, state or federal law.
2. Keep in contact with your attorney.
3. Immediately notify the Circuit Court Clerk at:  
of any change of address or phone number.  
(If represented by counsel, keeping your attorney notified of  
your address and phone number complies with this requirement.)
4. Appear for all court appearances.
5. Do not leave  Park County  State of Wyoming without permission from the Judge.
6. Do not drink or possess alcoholic beverages or any illegal controlled substances, or be in places whose primary source of income is derived from alcohol sales.
7. Submit to random testing of your blood, breath and/or urine for the presence of alcohol or illegal controlled substances by law enforcement officers or your probation officer if on probation.
8. Report in person to the Park County Sheriff's Office or the \_\_\_\_\_ Police Department at least \_\_\_\_\_ between the hours of \_\_\_\_\_ .M. and \_\_\_\_\_ .M.
9. Do not have any contact with \_\_\_\_\_ .
10. Do not bother or harass any witness to this matter.
11. Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
12. Reappear before this Court on January 30, 2017 at the hour of 10:15 A .M. at the  
 Cody  Powell courtroom for:

Bench Trial  
 Preliminary Hearing

Jury Trial  
 Pretrial Conference

Enclosure # \_\_\_\_\_ Pg. \_\_\_\_\_ of \_\_\_\_\_  
Case# \_\_\_\_\_  
Officer \_\_\_\_\_

STATE OF WYOMING,

OCT 11 2016

DOCKET NO. CR-2016-98-PW

Plaintiff, CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT  
-vs- PARK COUNTY, WYOMING  
JOCELYN BLAKESLEY, Deputy  
By Richard J. MacLasky,  
Defendant.

ARRAIGNMENT & SENTENCING ORDER

Charge I 6-3-2016 CRIMINAL TRESPASST Citation No. \_\_\_\_\_  
II 6-3-2016 Proprietary Law \_\_\_\_\_

Advised of charges and penalty \_\_\_\_\_ Advised of constitutional rights \_\_\_\_\_

Attorney: Waived \_\_\_\_\_ Retained \_\_\_\_\_ Appointed \_\_\_\_\_ Name: PUFF

Plea: GUILTY \_\_\_\_\_ Finding: GUILTY \_\_\_\_\_  
NOT GUILTY \_\_\_\_\_ NOT GUILTY \_\_\_\_\_  
NO CONTEST \_\_\_\_\_ DISMISSED \_\_\_\_\_

Bond set at \$ 250 CASH

Conditions of the bond: SUSPENDED

The above case has been set for:

Preliminary Hearing \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.  
Pre-Trial Conference 30 day of JUN 2017, 2017, at 10:15 A.M., P.M.  
Jury Trial 16 day of JUN 2017, 2017, at 8:30 A.M., P.M.  
Trial to Court \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ A.M., P.M.

SENTENCE

Fine \$ \_\_\_\_\_ Public Def Fees \$ \_\_\_\_\_  
Costs \$ \_\_\_\_\_ Amount Suspended \$ \_\_\_\_\_  
Victim Surcharge \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_

Jail Time \_\_\_\_\_ Time Suspended \_\_\_\_\_

Probation \_\_\_\_\_ Unsupervised / Supervised

Restitution \$ \_\_\_\_\_

Stay of Execution to \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
Conditions of suspension of fine / jail \_\_\_\_\_

DONE this 10 day of June, 2016.

Bruce, Esq.

COUNTY ATTORNEY

JUDGE

John D. Smith  
DEFENSE ATTORNEY

Enclosure # Pg. of  
Case# \_\_\_\_\_  
Officer \_\_\_\_\_

DEFENDANT

PARENTAL SIGNATURE

-vs-

F I L E D

OCT 11 2016

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT  
PARK COUNTY, WYOMING  
Peggy L. Farman, Clerk

JOCELYN BLAKESLEY Deputy

**BOND CONDITIONS**Bond Amount \$ 2500 Cash \$ / Acceptable Bail Bond \$ \_\_\_\_\_ Property \$ \_\_\_\_\_

You must comply with all conditions checked:

- 1. Do not violate any local, state or federal law.
- 2. Keep in contact with your attorney.
- 3. Immediately notify the Circuit Court Clerk at:
  - Cody • 307-527-8590
  - Powell • 307-754-8890
 (If represented by counsel, keeping your attorney notified of your address and phone number complies with this requirement.)
- 4. Appear for all court appearances.
- 5. Do not leave  Park County  State of Wyoming without permission from the Judge.
- 6. Do not drink or possess alcoholic beverages or any illegal controlled substances, or be in places whose primary source of income is derived from alcohol sales.
- 7. Submit to random testing of your blood, breath and/or urine for the presence of alcohol or illegal controlled substances by law enforcement officers or your probation officer if on probation.
- 8. Report in person to the Park County Sheriff's Office or the \_\_\_\_\_ Police Department at least \_\_\_\_\_ between the hours of \_\_\_\_\_ .M. and \_\_\_\_\_ .M.
- 9. Do not have any contact with \_\_\_\_\_ .
- 10. Do not bother or harass any witness to this matter.
- 11. Other comply w/ byrd cond or previously  
887566544
- 12. Reappear before this Court on TODAY, 30 2017 at the hour of 10:15 A .M. at the
  - Cody
  - Powell courtroom for:

Bench Trial  
 Preliminary Hearing  
 Pretrial Conference

Jury Trial  
 Pretrial Conference

Enclosure # \_\_\_\_\_ Pg. \_\_\_\_\_ of \_\_\_\_\_  
 Case# \_\_\_\_\_  
 Officer \_\_\_\_\_

STATE OF WYOMING,

OCT 11 2016

DOCKET NO. CR-2016-153904

-vs-

Plaintiff, CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT  
PARK COUNTY, WYOMING

Penny L. Earman, Clerk

JOCELYN BLAKESLEY, Deputy

By Richard McCloskey,

Defendant.

ARRAIGNMENT & SENTENCING ORDER

Charge I-III - unlawful use of Cigarette 6-3802 a/b Citation No. \_\_\_\_\_

Advised of charges and penalty \_\_\_\_\_ Advised of constitutional rights \_\_\_\_\_

Attorney: Waived \_\_\_\_\_ Retained \_\_\_\_\_ Appointed \_\_\_\_\_ Name: pdp

Plea: GUILTY \_\_\_\_\_ Finding: GUILTY \_\_\_\_\_

NOT GUILTY / NOT GUILTY \_\_\_\_\_

NO CONTEST \_\_\_\_\_ DISMISSED \_\_\_\_\_

Bond set at \$ 2000.00/50

Conditions of the bond: \$1000.00/100

The above case has been set for:

Preliminary Hearing \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_. A.M., P.M.

Pre-Trial Conference 30 day of TUESDAY, 20 17, at 10:15 A.M., P.M.

Jury Trial 10 day of FRIDAY, 20 17, at 8:30 A.M., P.M.

Trial to Court \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_. A.M., P.M.

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_. A.M., P.M.

SENTENCE

Fine \$ \_\_\_\_\_ Public Def Fees \$ \_\_\_\_\_

Costs \$ \_\_\_\_\_ Amount Suspended \$ \_\_\_\_\_

Victim Surcharge \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_

Jail Time \_\_\_\_\_ Time Suspended \_\_\_\_\_

Probation \_\_\_\_\_ Unsupervised / Supervised

Restitution \$ \_\_\_\_\_

Stay of Execution to \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. , 20\_\_\_\_\_. , 20\_\_\_\_\_.

Conditions of suspension of fine / jail \_\_\_\_\_

DONE this 10 day of OCTOBER, 20 16.

COUNTY ATTORNEY

JUDGE

DEFENSE ATTORNEY

67 1/2  
DEFENDANT

PARENTAL SIGNATURE

-vs-

F I L E D  
DRichard McLosky,  
Defendant.

OCT 11 2016

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT  
PARK COUNTY, WYOMING  
Peggy L. Ferman, ClerkBy JOCELYN BLAKELEY Deputy**BOND CONDITIONS**Bond Amount \$2000 Cash \$1 Acceptable Bail Bond \$\_\_\_\_\_ Property \$\_\_\_\_\_

You must comply with all conditions checked:

- 1. Do not violate any local, state or federal law.
- 2. Keep in contact with your attorney.
- 3. Immediately notify the Circuit Court Clerk at:  
of any change of address or phone number.  
(If represented by counsel, keeping your attorney notified of  
your address and phone number complies with this requirement.)
- 4. Appear for all court appearances.
- 5. Do not leave  Park County  State of Wyoming without permission from the Judge.
- 6. Do not drink or possess alcoholic beverages or any illegal controlled substances, or be in places whose primary source of income is derived from alcohol sales.
- 7. Submit to random testing of your blood, breath and/or urine for the presence of alcohol or illegal controlled substances by law enforcement officers or your probation officer if on probation.
- 8. Report in person to the Park County Sheriff's Office or the \_\_\_\_\_ Police Department at least \_\_\_\_\_ between the hours of \_\_\_\_\_ .M. and \_\_\_\_\_ .M.
- 9. Do not have any contact with ANY PREVIOUS LISTED IN THIS DOCUMENT.  
PUBLIC CRIMINAL NOV 62 AS 03 4, 2017 THIS PAPER IS TO BE FILED W/CLERK
- 10. Do not bother or harass any witness to this matter.
- 11. Other \_\_\_\_\_
- 12. Reappear before this Court on Tuesday, 30 Jan 2017 at the hour of 10:15 AM. M. at the  
 Cody  Powell courtroom for:

 Bench Trial Jury TrialEnclosure # \_\_\_\_\_ Pg. \_\_\_\_\_ of \_\_\_\_\_  
Case# \_\_\_\_\_  
Officer \_\_\_\_\_ Preliminary Hearing Pretrial Conference

FILED  
OCT 12 2016

**RICHARD JOSEPH McCLOSKEY,**  
*Defendant.*

CIRCUIT COURT OF FIFTH JUDICIAL DISTRICT  
PARK COUNTY, WYOMING  
Peggy L. Ferman, Clerk  
By **JOCELYN BLAKESLEY**, Deputy

## FELONY INFORMATION

COMES NOW the State of Wyoming, by and through, Bryan A. Skoric, Park County and Prosecuting Attorney, and hereby informs the Court and gives the Court to understand that the above-named Defendant:

**Count I:** On or between August 26, 2016 and September 9, 2016, in Park County, Wyoming, did unlawfully use a credit card with the intent to obtain property or services by fraud, to wit, used a credit card, or the number or description of a credit card, issued to another person without the consent of that person, and the value of the property or services obtained in violation of this section within a sixty day period in the state of Wyoming totals one thousand dollars (\$1,000.00) or more, in violation of Wyoming Statute § 6-3-802(a)(i)(b)(iii), a felony, punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count II:** On or about August 26, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for twelve dollars and thirty-eight cents (\$12.38), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Wyoming.

**Count III:** On or about August 26, 2016, in Park County, Wyoming, with intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorized that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for ninety-four dollars and twenty-five cents (\$94.25), in violation of Wyoming Statute § 6-3-602(a)(ii)(b), punishable by

7586  
12.38  
94.25  
58.43  
98.78  
60.26  
40.50  
~~①~~ 190.25  
43.67  
5.08  
102.95  
58.05  
99.62  
902.22

**IN THE CIRCUIT COURT, FIFTH JUDICIAL DISTRICT  
PARK COUNTY, WYOMING (POWELL)**

**STATE OF WYOMING**

*Plaintiff,*

**vs.**

**RICHARD J. MCCLOSKEY,**

*Defendant.*

**Criminal Docket No.**

---

**AFFIDAVIT OF PROBABLE CAUSE**

---

**THE UNDERSIGNED, BEING FIRST DULY SWORN UPON OATH,  
DEPOSES AND STATES:**

1. I, Cody Bradley, am employed by the Powell Police Department as a Police Officer.
2. On October 06, 2016, I was dispatched to the Super 8 Motel, Powell, Park County, Wyoming for a person who left without paying.
3. I spoke with Rebecca Iverson at the Super 8 Motel and she told me that Richard McCloskey left without paying for his room. Mr. McCloskey checked in on October 04, 2016, with a departure date of October 05, 2016. Iverson stated that McCloskey was paying with cash and the credit card he gave them came back denied. Iverson said that on October 06, 2016, she left a note on McCloskey's door, room 216, at approximately 2:50 p.m. saying that he needed to settle today's balance. At approximately 5:30 p.m. another guest saw McCloskey and Colleen Maddox leave the hotel in a pewter colored Cadillac CTS. Officer Hite and I went to the room to make sure that McCloskey had indeed checked out and the room was a mess, but all personal items were gone. Iverson gave me copies of the registration and the note that she left for McCloskey. McCloskey owes the Super 8 Motel Eighty-one Dollars and Sixty-four Cents (\$81.64).

PARK COUNTY, WYOMING (POWELL)

Case 1:17-cv-00045-SWS Document 1 Filed 03/15/17 Page 51 of 53

STATE OF WYOMING,

*Plaintiff,*

vs.

RICHARD J. MCCLOSKEY,  
*Defendant.*

Criminal Docket No. CR-2016-159 Pow

---

W A R R A N T

---

TO ANY SHERIFF IN THE STATE OF WYOMING, GREETINGS:

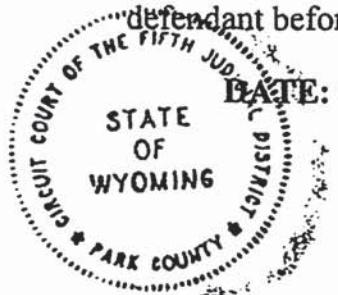
WHEREAS, Affidavit having been made before me, on oath, that the above-named Defendant, on or about October 03, 2016, in Park County, Wyoming, did without authority enter or remain in a building with intent to commit theft or a felony therein, in violation of Wyoming Statute §6-3-301(a)(b), a felony punishable by imprisonment for not more than ten (10) years, a fine of not more than \$10,000.00, or both.

NOW, THEREFORE, in the name of the State of Wyoming, you are hereby commanded forthwith to apprehend and arrest the above-named Defendant and bring the

defendant before the Court to be dealt with according to law.

DATE: October 18 2016.

Honorable Bruce B. Waters  
Circuit Court Judge



DOB:	03/19/1988
SSN:	358-84-1762
LKA:	Park County Detention Center

R E T U R N

STATE OF WYOMING

} ss

COUNTY OF PARK

I hereby certify that I received the above Warrant, together with a copy of the Information filed in the above matter, and that I served the same in Park County on \_\_\_\_\_, by delivering copies of both to \_\_\_\_\_.

*Plaintiff,*

vs.

**RICHARD JOSEPH McCLOSKEY,***Defendant.***COPY**

---

**WARRANT**

---

**TO ANY SHERIFF IN THE STATE OF WYOMING, GREETING:**

WHEREAS, the State of Wyoming has filed herein a Motion for Warrant, wherein the State requests that a Warrant issue for the arrest of the Defendant on the underlying charges herein, and the Court having reviewed the same and finding good cause to issue the same;

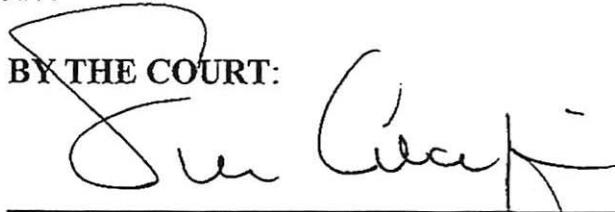
**Count I:** Unlawful use of a credit card with the intent to obtain property or services by fraud, to wit; used a credit card, or the number or description of a credit card, issued to another person without the consent of that person, and the value of the property or services obtained in violation of this section within a sixty day period in the state of Wyoming totals One Thousand Dollars (\$1,000.00) or more, in violation of Wyoming Statute §6-3-802(a)(i)(b)(iii), a felony;

**Count II:** With intent to defraud, did make, complete, execute, authenticate, issue or transfer a writing so that it purports to be the act of another who did not authorize that act, to wit: signed Keith Grant's name to a transaction receipt for QT's Restaurant for Twelve Dollars and Thirty-Eight cents (\$12.38), in violation of Wyoming Statute §6-3-602(a)(ii)(b), a felony.

**YOU ARE, THEREFORE, HEREBY COMMANDED** forthwith to arrest the above-named Defendant and bring the Defendant before the Court for further proceedings.

DATED February 10<sup>th</sup>, 2017.

BY THE COURT:

  
HONORABLE STEVEN CRANFILL  
District Court Judge

## RETURN

STATE OF WYOMING

COUNTY OF PARK

}

I hereby certify that I received the above Warrant filed in the above matter, that I served the same in Park County on 2-14-17 by delivering copies of both to  
Richard McCloskey  
PCSO Detention at

SHERIFF

BY:

DEPUTY

Officer Pelleguzzi

